

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road Chantilly, VA 20151-1715

12 September 2016

Mr. Benjamin Good American Civil Liberties Union 125 Broad Street-18th Floor New York, NY 10004

RE: FOIA Case F-2016-00042

Dear Mr. Good:

This letter responds to your request dated 3 March 2016, received in the National Reconnaissance Office (NRO) on 8 March 2016. Pursuant to the Freedom of Information Act (FOIA), you requested the following:

- (1) policies, standards, and guidance related to prepublication review;
- (2) final legal analyses of past, present, or proposed prepublication-review requirements;
- (3) final decisions of officials conducting prepublication reviews;
- (4) correspondence with former agency employees (or their representatives) who have submitted materials for prepublication review since January 1, 2009;
- (5) statistics relating to prepublication review, including but not limited to information documenting the total numbers of individuals who have submitted works for review, the total number of works submitted for review, the total number of submissions approved without change, the total number of submissions returned with proposed redactions or other modifications, the total number of pending submissions, and the duration of prepublication review processes.
- (6) titles, subject matters, and dates of works submitted for prepublication review; and
- (7) information about enforcement proceedings instituted or contemplated on the basis of violations of prepublication-review requirements, including breach-of-contract actions, agency administrative proceedings, and civil or criminal litigation.

To the extent it meets FOIA procedural requirements, your request is being processed in accordance with the FOIA, 5 U.S.C. § 552, as amended.

Item 3, which we interpreted as a request for the final NRO response to each prepublication review request, cannot be accepted for search because it constitutes an unduly burdensome search. Preliminary searches conducted thus far for this item have determined that over 3,000 records responsive to your request exist. The information you requested is not contained in a single, distinct location dedicated to the information you are requesting; retrieval of this information will require accessing each individual prepublication review action, and the extraction of responsive information from each. In addition, records for the years 2009 through most of 2011 are

stored only in hardcopy, and will require a time-consuming, manual search to produce. In order to enable a reasonable search, we recommend that you consider refining your request to limit either the date range or the type of responsive documents you are seeking (for example, to eliminate resumes and/or official publications from the request.)

Item 4 cannot be accepted for search because NRO's existing records systems relating to prepublication review do not contain the information necessary to distinguish records that are within the scope of the FOIA request (responsive records) and records that are outside of the scope of the FOIA request (not responsive). Response to this portion of the request would require an unduly burdensome search and subsequent research into the status of each individual requester.

Item 5 cannot be accepted for search because it does not meet FOIA procedural requirements as it asks questions in the form of record requests. NRO's existing record systems are not configured to capture the data you seek. NRO would be required to conduct research and create new records to provide material responsive to item 5.

NRO conducted a reasonable search of record systems likely to contain material responsive to the remaining portions of your request. NRO located material responsive to item 1 of your request which is being released to you in part. Material redacted from the released documents is denied on the basis of FOIA exemption (b)(3), in conjunction with the withholding statute 10 U.S.C. § 424. NRO located one additional document responsive to your request which requires review by another agency prior to release. A release determination will be provided to you once we receive their response. NRO also located material responsive to item 6 of your request which is still being processed. No records responsive to items 2 and 7 were located.

Should you choose to modify the scope of this FOIA request, please contact trial attorney Ryan Parker at the Federal Programs Branch of the U.S. Department of Justice, Civil Division at (202)514-4336 or via email at ryan.parker@usdoj.gov, and please reference NRO case number F-2016-00042.

Sincerely,

Patricia É. Cameresi FOIA Public Liaison

Enclosures:

- 1. C05093139
- 2. C05093141

(U) GUIDELINES FOR PREPARING YOUR RESUME:

- (U) Protecting Sensitive NRO and OGA Information
- (U) Whether you are retiring or looking for a position outside of the Intelligence Community (IC) at any stage of your career, you must submit your resume for review prior to its use. This brochure has been prepared to give you general guidelines on how to prepare your resume while protecting NRO equities and to help expedite the review process.
- (U) Contractor, Military, or DoD Civilian Personnel:
- (U) You must submit your resume to your Program Security Officer (PSO) for preliminary review. Your PSO will review for classification issues and assist in determining whether your resume requires Prepublication Review, depending on its content and intended use.
- (U//FOUO) Once your PSO has reviewed your resume, provided preliminary approval, and determined that it requires prepublication review, you must complete the <u>Prepublication Review Submission System</u> (PRSS) form, attach your resume, and submit it. Your submission package will be sent to the Information Review and Release Group (IRRG) of the Information Management Services Office (IMSO) in COMM. IRRG will work with the appropriate offices to determine that the information in your resume is unclassified, and that it is appropriate for public dissemination.
- (U) The NRO Prepublication Review process for resumes includes review for NRO equities only. If your resume includes other government agency (OGA) information from post or pre-NRO assignments, you must comply with any other applicable OGA prepublication requirements.
- (U) If electronic submission is not an option for you, you may send the resume in hardcopy to the appropriate office via fax or interoffice mail.
- (U) CIA Personnel working at the NRO:
- (U/FOLIO) You must submit your resume to the <u>CIA Publications Review Board</u> (PRB). The PRB will send the resume to the NRO for a review of NRO equities as part of their process, and the final release determination will come from the PRB.
- (U) Military, DoD Civilian, CIA Personnel and Contractors. Where should you prepare your resume?
- (U) To avoid the inadvertent exposure of classified or otherwise sensitive material, it is best to prepare your resume in a classified environment and not remove it until it has been properly cleared for your use. It should be noted that while classified information cannot be used in the resume, it may be discussed in an interview if the interview is conducted in a classified environment, and the interviewer has the appropriate level of clearance. Talk to your PSO for further guidance.

The above applies to contractors as well with the understanding that the time it took you to prepare your resume is not chargeable to the contract. Contractors can prepare their resumes on their own time on unclassified networks, but should be advised to keep the work descriptions minimal with no agency specifics. Any resumes prepared on the unclassified network must be unclassified. Each

UNCLASSIFIED//FOUO

Last Updated: 7/18/2014

individual is responsible for ensuring anything written on the unclassified network is kept unclassified.

(U) How far in advance should you submit your resume?

(U//FOSQ) Per NI 56-2-2, Prepublication Review, the IRRG requires a minimum of twenty (20) working days to administer the Prepublication Review process. If you served more than one Directorate or Office, or your resume is very complex, the review of your resume may require additional time. Keep in mind that both CIA/PRB and COMM/IMSO/IRRG serve a very large population and have many competing priorities. Please allow them ample time to give your resume the time and attention it deserves.

(U//FOUO) Include pertinent cover information, if any, in your request. *Please note that if you were under cover for any period of your employment, you must fashion your resume in a manner consistent with that cover, or you should make arrangements to have your cover lifted and rolled back to Entrance on Duty (EOD).

(U) What must you avoid in your resume?

(U//FOUQ) You must avoid including any classified or FOUO (and AIUO, for CIA employees) information in your resume. With few exceptions, no resume should include the following:

•	Specific budget information	
•	Specific numbers of personnel	
•	Agency-specific designators	
•	specific locations (including stations and bases)	(b)(3)
• '	References of any kind	(b)(3)
•	References to specific sources, methods, targets, equipment,	(b)(3)
	relationships	(=)(=)
•	References to compartments, codewords, or classification	(b)(3)
	channels	. , ,
•	Names of other employees	
•	Specific intelligence-related training	
•	Organizational data below the Office level or equivalent	
•	Non-releasable job titles	
•	Detailed job descriptions	
•	References to specific official travel, participation in	(h)(2)
	, and the state of	(b)(3)
•	References to specific foreign liaison activities, including	(b)(3)
•	All titles and numbers of intelligence products produced; however, an employee may	(2)(0)
	acknowledge drafting analysis in support of the President and other senior policy makers	
	and a regional analysis specialty	
	(U) If you have any questions about the resume review process, please contact the IRRG	
	Hotline - or email us at <u>COMM-IMSO-IRRG-Prepub</u>	(b)(3)
		. , ,
	UNCLASSIFIED/FOUO	
Last Upd	lated: 6/25/2015	

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Approved for Release: 2016/08/29 C05093141

Dynamic Content - Highest Possible Classification: TOP SECRET//SI/TRY/NOFORN

COMM INTORMATION MANAGEMENT VERVICES OFFICE (IMSO)

IMSO .

(U) ABOUT PREPUBLICATION REVIEW

- (U) Any UNCLASSIFIED material proposed for public release that deals information about the NRO, its trission, or its function, must be reviewed and approved <u>prior</u> to public release. This applies to both government and contractor personnel, either currently or formerly assigned to the NRO. Allow a minimum of twenty (20) working days for processing.
- (U) The NRO's Prepublication Review process is intended to control the release of UNCLASSIFIED NRO information to the public.
- (U) Materials include, but are not limited to, electronic releases (such as websites, emails or facsimiles) and publications (such as books, brochures, articles, briefings, resumes or speeches) that are either official NRO business or non-official personal products that include NRO-related information. NOTE: Logis and memorabilia are handled by a separate process explained in ND100-26, Memorabilia.
- (U) NI 56-2-2, Prepublication Review defines the policy, responsibilities, and procedures for the public release of unclassified NRO information.
- (U) Material that requires a prepublication review must be submitted using the Prepublication Review Submission System (PRSS).
- (U) Prior to submitting your request to the Information Review and Release Group (IRRG), you will need to obtain approval from:
 - (1) your supervisor (approval to submit for prepublication review),
 - (2) your Program Manager (approval to submit for prepublication review), and
 - (3) your Program Security Officer (certifying the information is unclassified and suitable for public release).
- (U) Information derived from a contract or developed under contract with the NRO requires :
- (4) cognizant Contracting Officer approval, as well. (See NRO Acquisition manual for additional information.)
- (U) Resumes require ONLY Program Security Officer approval prior to submission to IRRG.

Important

- (U) U//FOUO information is NO1 publicly releasable.
- (U) Your Program Security Officer can assist with determining what constitutes a public release.

Special Notice

(U) If you are planning to use domestic images/imagery in your product, you need to be aware of the requirements for their use. Please review the information here NRO Domestic Use Portal and plan accordingly.

(U) TIME REQUIREMENTS

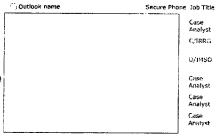
(U) The IRRG will make every effort to provide a timely response. We administer a review process that utilizes subject matter experts, security experts throughout the NRO, as well as Public Affairs. Consideration must be given to allowing sufficient time for proper vetting. Allow a minimum of twenty (20) working days for processing. Additional time may be necessary if your submission requires changes or if it contains equities belonging to other Government agencies.

(U) _Questions should be directed to the Prepublication Review (IRRG) mail group or the IRRG Hotline or

(U) HOW TO SUBMIT A PREPUBLICATION REVIEW REQUEST

- 1. Open
- 2. Fill out appropriate fields
- Attach submission instructions included on the form (Shared folder available for large attachments)
- 4. Click SUBMIT
- 5. Hardcopies should be hand-carried to IRRG- call for information.
- Allow a minimum of twenty (20) working days for processing.

Prepublication Contact List





Prepublication Links

- NI S6 2-2, Prepublication Review
- ND 56-2. Access and Release
- NBF 50, Information Technology, Information Assurance, and Information Management
- ⊌ Guidelines For Preparing Your Resume
- R PrePublication View (Admins Only)

Add new link

(b)(3)

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